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PATENT 11/21/03
Attorney Docket No.: 014058-008591US
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On

March 14, 2003
TOWNSEND and TOWNSEND and CREW LLP

By:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of:**

Steven G. Reed
Yasir A.W. Skeiky
Davin C. Dillon
Antonio Campos-Neto
Raymond Houghton
Thomas Vedvick
Daniel R. Twardzik
Michael J. Lodes
Ronald Hendrickson

Examiner: Rodney P. Swartz**Art Unit:** 1645**RESPONSE TO RESTRICTION
REQUIREMENT****Application No.:** 10/084,843**Filed:** February 25, 2002

**For: COMPOUNDS AND METHODS
FOR IMMUNOTHERAPY AND
☐ DIAGNOSIS OF TUBERCULOSIS
☐**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated February 13, 2003,
Applicants elect to prosecute Group I (claims 38-42), drawn to DNA, vector, and host.
In conjunction with the election of the claims of Group I, Applicants
hereby select SEQ ID NO:46 as the invention.

The foregoing election is made with traverse, as the four groups set forth
by the Examiner all stem from a common concept and theory, and are thus related. As

PATENT

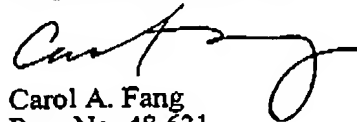
Reed *et al.*
Application No.: 10/084,843
Page 2

such, prosecution of the claims of Groups I-IV would not place a substantially greater burden on the Examiner. Applicants therefore respectfully request that the Examiner withdraw the Restriction Requirement and consider all the claims together.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,


Carol A. Fang
Reg. No. 48,631

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SF 1440807 v1

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Atty Docket No. 014058-008591US

PTO FAX NO.: 703-872-9306

ATTENTION: Examiner Rodney P. Swartz

Group Art Unit 1645

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER Rodney P. Swartz

Examiner Swartz: Attached herewith is a COPY of the Restriction Requirement submitted to the PTO on March 11, 2003. Also attached is a copy of the accompanying date-stamped returned postcard indicating receipt of these papers at the PTO on March 17, 2003.


Annette S. Parent, Reg. No. 42,058

CERTIFICATION OF FACSIMILE TRANSMISSION

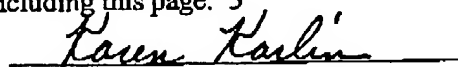
I hereby certify that the following documents in re Application of Steven G. Reed et al., Application No. 10/084,843, filed February 25, 2002 for COMPOUNDS AND METHODS FOR IMMUNOTHERAPY AND DIAGNOSIS OF TUBERCULOSIS are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

copy of date-stamped postcard returned from PTO with date of receipt (1 page); Transmittal Form (1 page); Response to Restriction Requirement (2 pages)

Number of pages being transmitted, including this page: 5

Dated: November 12, 2003


Karen Karlin

**PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (415) 576-0300**

TOWNSEND and TOWNSEND and CREW LLP
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San Francisco, CA 94111-3834
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60080763 v1

TO THE U.S. PATENT AND TRADEMARK OFFICE:

Please stamp the date of receipt of the following documents(s), and return this card to us.

Title of Document(s): Trans. Form SB/21 (1 pg.); Response to Restriction Requirement (2 pgs.).

Date Due: March 13, 2003

Appln. No.: 10/084,843

Date Mailed: March 11, 2003

File No.: 014058-008591US

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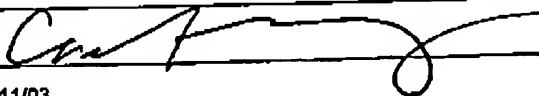
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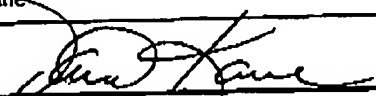


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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/084,843	
	Filing Date	February 25, 2002	
	First Named Inventor	Reed, Steven G.	
	Art Unit	1645	
	Examiner Name	R. Swartz	
Total Number of Pages in This Submission	3	Attorney Docket Number	014058-008591US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard; Response to Restriction Requirement (2 pgs.).
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Townsend and Townsend and Crew LLP Carol A. Fang Reg. No. 48,631	
Signature		
Date	03/11/03	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 03/11/03			
Typed or printed	Dana Kane		Date
Signature			03/11/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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